

REMARKS/ARGUMENTS

This case has been carefully reviewed and analyzed in view of the Final Office Action dated 15 November 2010. Responsive to rejections made in the Office Action, Claims 9, 10 and 16-20 have been amended and Claim 14 was previously cancelled. With this Amendment being entered, Claims 1-13 and 15-20 will remain pending.

In the Office Action, the Examiner rejected Claims 9, 10 and 16-20 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Examiner stated that the claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the art that the inventors, at the time the Application was filed, had possession of the claimed invention. Specifically, the Examiner questioned the support for the phrases: “calcium oxide composition;” “calcium oxide composition is calcium hydroxide;” “substantially;” “multi-section oven;” and “bonding agent defined by a calcium hydroxide.” The Examiner further stated that Claim 10 did not explain what solvent or substance the pellets were 100% soluble in. The Examiner kindly indicated that Claims 1-8, 11-13 and 15 were allowable and such is hereby acknowledged.

It is respectfully submitted that the Specification of the subject Patent Application, as filed, describes the use of a calcium oxide bonding agent, which is essential to achieving a particular hardness for the resulting pellet, page 7, lines numbered 11-16.

Accordingly, **Claim 9** has been amended to state that the bonding agent includes calcium oxide, which is clearly supported by the originally filed Specification. The originally filed Specification further defines the bonding agent as being a mixture of calcium oxide and water, which combination forms calcium hydroxide, page 6, lines numbered 18-22. The descriptions of Examples 1 and 2 describe the calcium oxide as being mixed with water (page 8, lines 10-12; page 9, lines 22-23) and the water and calcium hydroxide mixture being applied by spraying (page 8, lines 17-19; page 10, lines 4-6). Therefore, **Claim 16** has been amended to now call for the calcium oxide being mixed with water to form calcium hydroxide, which is supported by the originally filed Specification. **Claim 20** has been amended to define calcium hydroxide as the bonding agent, which is supported by the originally filed Specification, as discussed above. It is further noted that the next step in the process to pass the product through a drying oven to reduce the moisture content of the entire product to approximately 3%, page 8, lines 19-24 and page 10, 6-10.

It is further respectfully submitted that the Specification of the subject Patent Application, as filed, describes the clay as being “caolinite, [illite], montmorillonite or a mixture of any of them in any concentration”(spelling for illite corrected). As a the mixture of the named clay constituents can be in any concentration, then the Specification supports the claim that the clay of the present invention can include a clay formed by a

sufficiently greater concentration of any one of the named clays to be formed substantially of that one particular type of clay. Hence, it is believed that the Specification, as filed, supports the clay being formed of substantially caolinite, as claimed in **Claim 17** and **Claim 20**, and supports the clay being formed of substantially illite, as claimed in **Claim 18**.

With respect to **Claim 19**, the originally filed Specification describes the process of forming the inventive product, in Examples 1 and 2, to include feed the pellets into “a 3 section rotating oven...”, page 8, lines 19-21 and page 10, lines 6-8. While it is believed that such disclosure fully supports the claimed “multi-section oven” limitation, Claim 19 has been now amended to define the limitation as an oven having multiple sections. As now amended, the claim is clearly supported by the language of the originally filed Specification.

Claim 10 has been amended to now define the pellets as being 100% soluble in water. The support for the pellets being soluble in water is found in the originally filed Specification on page 7, lines 22-25. Further, as the pellets are intended to be spread on soil to supply micronutrients to vegetation, it is inherent in that application that the pellets be soluble in water to deliver the micronutrients to the soil for assimilation by the vegetation, and such is well known and understood by those skilled in the art. Thus,

MR3269-57
Application Serial No.10/530,222
Response to Final Office Action dated 15 November 2010

Claim 10, as now amended, defines what the solvent is, and such is supported by the originally filed Specification.

It is now believed that the subject Patent Application has been placed in condition for allowance, and such action is respectfully requested.

No fees are believed to be due with this Amendment. If there are any charges associated with this filing, the Honorable Director of Patents and Trademarks is hereby authorized to charge Deposit Account #50-5298 for such charges.

Respectfully submitted,
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MR3269-57

Application Serial No.10/530,222

Response to Final Office Action dated 15 November 2010

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I hereby certify that this paper is being transmitted electronically to the U.S. Patent and Trademark office, Art Unit #1616 on the date shown below.

For: ROSENBERG, KLEIN & LEE

01/07/2011

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